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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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ADRIAN L JONES,

Plaintiff,

v.

WARDEN D. NEVEN, *et al.*,

Defendants.

Case No. 2:17-cv-02457-APG-GWF

ORDER

**I. DISCUSSION**

Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections (“NDOC”), has submitted a civil rights complaint pursuant to 42 U.S.C. § 1983. (ECF No. 101). Plaintiff also has filed an application to proceed *in forma pauperis*, a motion to supplement information and add new civil rights violations, and a motion for leave to file documents. (ECF No. 1-1, 4, 5). The matter of the filing fee shall be temporarily deferred.

It appears to the Court that Plaintiff seeks to amend his complaint. Plaintiff’s motion to supplement information and add new civil rights violations (ECF No. 4) and his motion for leave to file documents (ECF No. 5) are not complete complaints and appear to be supplemental allegations. The Court will not piecemeal documents together to determine whether Plaintiff states a colorable claim in his complaint. The Court therefore declines to screen Plaintiff’s complaint at this time. Therefore, Plaintiff’s motion to supplement information and add new civil rights violations (ECF No. 4) and his motion for leave to file

documents (ECF No. 5) are denied and the Court will not file the documents submitted with those motions.

The Court grants Plaintiff leave to file a complete First Amended Complaint. The Court notes that, if Plaintiff chooses to file a complete amended complaint, Plaintiff shall file that amended complaint within thirty (30) days from the date of entry of this order.

If Plaintiff chooses not to file a complete amended complaint, the Court will screen Plaintiff's original complaint (ECF No. 1-1) only.

If Plaintiff chooses to file a complete amended complaint, he is advised that an amended complaint supersedes (replaces) the original complaint and, thus, the amended complaint must be complete in itself. See *Hal Roach Studios, Inc. v. Richard Feiner & Co., Inc.*, 896 F.2d 1542, 1546 (9th Cir. 1989) (holding that "[t]he fact that a party was named in the original complaint is irrelevant; an amended pleading supersedes the original"). Therefore, an amended complaint must include any allegations and defendants from the original complaint that Plaintiff wishes to pursue as well as any defendants and allegations from Plaintiff's motions (ECF No. 4, 5) that Plaintiff wishes to pursue. Moreover, Plaintiff must file the amended complaint on this Court's approved prisoner civil rights form and it must be entitled "First Amended Complaint."

## **II. Conclusion**

It is therefore ordered that a decision on the application to proceed *in forma pauperis* (ECF No. 1) is deferred.

It is further ordered that Plaintiff's motion to supplement information and add new civil rights violations (ECF No. 4) and his motion for leave to file documents (ECF No. 5) are denied.

It is further ordered that, if Plaintiff chooses to file an amended complaint, as outlined in this order, Plaintiff shall file the complete amended complaint within thirty (30) days from the date of entry of this order.

It is further ordered that, if Plaintiff chooses not to file an amended complaint within thirty (30) days, the Court will screen Plaintiff's original complaint (ECF No. 1-1) only.

1 It is further ordered that, if Plaintiff chooses to file an amended complaint, he must  
2 use the approved form and he shall write the words "First Amended" above the words  
3 "Civil Rights Complaint" in the caption.

4 It is further ordered that the Clerk of the Court shall send to Plaintiff the approved  
5 form for filing a § 1983 complaint, instructions for the same, and a copy of his original  
6 complaint (ECF No. 1-1) and copies of ECF No. 1-1, ECF No. 4, and ECF No. 5.

7 **DATED THIS 2nd day of August 2018.**

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10 UNITED STATES MAGISTRATE JUDGE  
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